

BOARD OF ZONING APPEALS

MINUTES

June 25, 1987

1. ROLL CALL

Members Present

Ms. Vaiden
Mr. Rosenberg
Mr. Ripley
Ms. James
Mr. Feigley

Others Present

Bernard M. Farmer, Jr.
Larry Davis

2. MINUTES

The March 26, 1987 minutes were approved as revised.

3. OLD BUSINESS

Mr. Davis informed the board that the Muffler Doctor case had went to court. Dr. Sternberg, the owner, was fined \$500.00 and told to remove the structure in violation. He voluntarily tore down the structure.

4. NEW BUSINESS

ZA-9-87. Robert Sweeney

It was the staff recommendation that the requested variance of 3.5 feet from the side yard setback provisions of Section 20-175 of the James City County Zoning Ordinance be denied. Sufficient space exists on the property to relocate the new structure in conformance with the ordinance. No legal hardship has been demonstrated which would justify granting the variance. The variance as requested is solely for the convenience of the property owner and would amount to a special privilege otherwise denied similar properties in the same zoning district.

The public hearing was opened.

Mr. Sweeney said that if the garage were moved over to the left it would block the view of the house, and it would cover part of the septic drainfield.

A letter was presented from the neighbor adjacent to the proposed structure. The neighbor had no objection to the garage placement.

Mr. Ripley proposed using a smaller garage width. Mr. Sweeney said that a smaller width would not serve his purpose.

The public hearing was closed.

Ms. Vaiden made a motion to grant the variance.

The motion was seconded by Mr. Ripley.

Mr. Feigley said he would not normally approve this type of variance, but the proposed structure is a definite improvement over ~~the~~ existing structure.

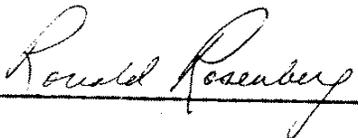
The motion was approved with a unanimous vote.

5. MATTERS OF SPECIAL PRIVILEGE

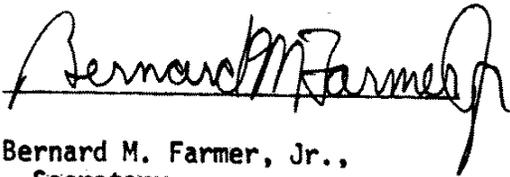
There were no matters of special privilege.

6. ADJOURNMENT

The meeting was adjourned at 8:00.



Ronald Rosenberg, Chairman



Bernard M. Farmer, Jr.,
Secretary